

Official Form 1 (4/07)

|  |                          |   |   |   |  |                          |                          |                          |                          |                          |                          |               |               |                |              |                                     |                          |                          |                          |                          |                          |                          |                          |                          |                          |
|--|--------------------------|---|---|---|--|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|---------------|---------------|----------------|--------------|-------------------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|
| <b>United States Bankruptcy Court</b><br><b>Northern District of Illinois</b>  |                          |   |   | <b>Voluntary Petition</b>   |  |                          |                          |                          |                          |                          |                          |               |               |                |              |                                     |                          |                          |                          |                          |                          |                          |                          |                          |                          |
| Name of Debtor (if individual, enter Last, First, Middle):<br><b>Hernandez, Erasto</b>   |                          |   | Name of Joint Debtor (Spouse) (Last, First, Middle):  |   |  |                          |                          |                          |                          |                          |                          |               |               |                |              |                                     |                          |                          |                          |                          |                          |                          |                          |                          |                          |
| All Other Names used by the Debtor in the last 8 years<br>(include married, maiden, and trade names):<br><b>DBA USA No. 1 Family Restaurant</b>  |                          |   | All Other Names used by the Joint Debtor in the last 8 years<br>(include married, maiden, and trade names):   |   |  |                          |                          |                          |                          |                          |                          |               |               |                |              |                                     |                          |                          |                          |                          |                          |                          |                          |                          |                          |
| Last four digits of Soc. Sec./Complete EIN or other Tax ID No. (if more than one, state all):<br><b>xxx-xx-1485</b>  |                          |   | Last four digits of Soc. Sec./Complete EIN or other Tax ID No. (if more than one, state all):   |   |  |                          |                          |                          |                          |                          |                          |               |               |                |              |                                     |                          |                          |                          |                          |                          |                          |                          |                          |                          |
| Street Address of Debtor (No. and Street, City, and State):<br><b>5216 West 121st Place</b><br><b>Alsip, IL</b>  |                          |   | Street Address of Joint Debtor (No. and Street, City, and State):   |   |  |                          |                          |                          |                          |                          |                          |               |               |                |              |                                     |                          |                          |                          |                          |                          |                          |                          |                          |                          |
| ZIP Code<br><b>60803-3176</b>  |                          |   | ZIP Code  |   |  |                          |                          |                          |                          |                          |                          |               |               |                |              |                                     |                          |                          |                          |                          |                          |                          |                          |                          |                          |
| County of Residence or of the Principal Place of Business:<br><b>Cook</b>  |                          |   | County of Residence or of the Principal Place of Business:  |   |  |                          |                          |                          |                          |                          |                          |               |               |                |              |                                     |                          |                          |                          |                          |                          |                          |                          |                          |                          |
| Mailing Address of Debtor (if different from street address):  |                          |   | Mailing Address of Joint Debtor (if different from street address):   |   |  |                          |                          |                          |                          |                          |                          |               |               |                |              |                                     |                          |                          |                          |                          |                          |                          |                          |                          |                          |
| ZIP Code   |                          |   | ZIP Code  |   |  |                          |                          |                          |                          |                          |                          |               |               |                |              |                                     |                          |                          |                          |                          |                          |                          |                          |                          |                          |
| Location of Principal Assets of Business Debtor<br>(if different from street address above):   |                          |   |   |   |  |                          |                          |                          |                          |                          |                          |               |               |                |              |                                     |                          |                          |                          |                          |                          |                          |                          |                          |                          |
| <b>Type of Debtor</b><br>(Form of Organization)<br>(Check one box)<br><br><input checked="" type="checkbox"/> Individual (includes Joint Debtors)<br><i>See Exhibit D on page 2 of this form.</i><br><input type="checkbox"/> Corporation (includes LLC and LLP)<br><input type="checkbox"/> Partnership<br><input type="checkbox"/> Other (If debtor is not one of the above entities,<br>check this box and state type of entity below.)   |                          | <b>Nature of Business</b><br>(Check one box)<br><br><input type="checkbox"/> Health Care Business<br><input type="checkbox"/> Single Asset Real Estate as defined<br>in 11 U.S.C. § 101 (51B)<br><input type="checkbox"/> Railroad<br><input type="checkbox"/> Stockbroker<br><input type="checkbox"/> Commodity Broker<br><input type="checkbox"/> Clearing Bank<br><input type="checkbox"/> Other<br><hr/> <b>Tax-Exempt Entity</b><br>(Check box, if applicable)<br><input type="checkbox"/> Debtor is a tax-exempt organization<br>under Title 26 of the United States<br>Code (the Internal Revenue Code). |   | <b>Chapter of Bankruptcy Code Under Which<br/>the Petition is Filed</b> (Check one box)<br><br><input type="checkbox"/> Chapter 7<br><input type="checkbox"/> Chapter 9<br><input type="checkbox"/> Chapter 11<br><input type="checkbox"/> Chapter 12<br><input checked="" type="checkbox"/> Chapter 13<br><br><input type="checkbox"/> Chapter 15 Petition for Recognition<br>of a Foreign Main Proceeding<br><input type="checkbox"/> Chapter 15 Petition for Recognition<br>of a Foreign Nonmain Proceeding<br><hr/> <b>Nature of Debts</b><br>(Check one box)<br><br><input checked="" type="checkbox"/> Debts are primarily consumer debts,<br>defined in 11 U.S.C. § 101(8) as<br>"incurred by an individual primarily for<br>a personal, family, or household purpose."<br><input type="checkbox"/> Debts are primarily<br>business debts. |  |                          |                          |                          |                          |                          |                          |               |               |                |              |                                     |                          |                          |                          |                          |                          |                          |                          |                          |                          |
| <b>Filing Fee</b> (Check one box)<br><br><input checked="" type="checkbox"/> Full Filing Fee attached<br><input type="checkbox"/> Filing Fee to be paid in installments (applicable to individuals only). Must<br>attach signed application for the court's consideration certifying that the debtor<br>is unable to pay fee except in installments. Rule 1006(b). See Official Form 3A.<br><input type="checkbox"/> Filing Fee waiver requested (applicable to chapter 7 individuals only). Must<br>attach signed application for the court's consideration. See Official Form 3B.  |                          |   | <b>Chapter 11 Debtors</b><br>Check one box:<br><input type="checkbox"/> Debtor is a small business debtor as defined in 11 U.S.C. § 101(51D).<br><input type="checkbox"/> Debtor is not a small business debtor as defined in 11 U.S.C. § 101(51D).<br>Check if:<br><input type="checkbox"/> Debtor's aggregate noncontingent liquidated debts (excluding debts owed<br>to insiders or affiliates) are less than \$2,190,000.<br><hr/> Check all applicable boxes:<br><input type="checkbox"/> A plan is being filed with this petition.<br><input type="checkbox"/> Acceptances of the plan were solicited prepetition from one or more<br>classes of creditors, in accordance with 11 U.S.C. § 1126(b). |   |  |                          |                          |                          |                          |                          |                          |               |               |                |              |                                     |                          |                          |                          |                          |                          |                          |                          |                          |                          |
| <b>Statistical/Administrative Information</b><br><input checked="" type="checkbox"/> Debtor estimates that funds will be available for distribution to unsecured creditors.<br><input type="checkbox"/> Debtor estimates that, after any exempt property is excluded and administrative expenses paid,<br>there will be no funds available for distribution to unsecured creditors.  |                          |   |   | THIS SPACE IS FOR COURT USE ONLY  |  |                          |                          |                          |                          |                          |                          |               |               |                |              |                                     |                          |                          |                          |                          |                          |                          |                          |                          |                          |
| <b>Estimated Number of Creditors</b><br><table style="width: 100%; text-align: center;"> <tr> <td>1-49</td> <td>50-99</td> <td>100-199</td> <td>200-999</td> <td>1,000-5,000</td> <td>5,001-10,000</td> <td>10,001-25,000</td> <td>25,001-50,000</td> <td>50,001-100,000</td> <td>OVER 100,000</td> </tr> <tr> <td><input checked="" type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> </table> |                          |   |   |   |  | 1-49                     | 50-99                    | 100-199                  | 200-999                  | 1,000-5,000              | 5,001-10,000             | 10,001-25,000 | 25,001-50,000 | 50,001-100,000 | OVER 100,000 | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 1-49   | 50-99                    | 100-199   | 200-999   |   |  | 1,000-5,000              | 5,001-10,000             | 10,001-25,000            | 25,001-50,000            | 50,001-100,000           | OVER 100,000             |               |               |                |              |                                     |                          |                          |                          |                          |                          |                          |                          |                          |                          |
| <input checked="" type="checkbox"/>  | <input type="checkbox"/> | <input type="checkbox"/>  | <input type="checkbox"/>  |   |  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |               |               |                |              |                                     |                          |                          |                          |                          |                          |                          |                          |                          |                          |
| <b>Estimated Assets</b><br><input checked="" type="checkbox"/> \$0 to \$10,000 <input type="checkbox"/> \$10,001 to \$100,000 <input type="checkbox"/> \$100,001 to \$1 million <input type="checkbox"/> \$1,000,001 to \$100 million <input type="checkbox"/> More than \$100 million   |                          |   |   |   |  |                          |                          |                          |                          |                          |                          |               |               |                |              |                                     |                          |                          |                          |                          |                          |                          |                          |                          |                          |
| <b>Estimated Liabilities</b><br><input type="checkbox"/> \$0 to \$50,000 <input type="checkbox"/> \$50,001 to \$100,000 <input checked="" type="checkbox"/> \$100,001 to \$1 million <input type="checkbox"/> \$1,000,001 to \$100 million <input type="checkbox"/> More than \$100 million  |                          |   |   |   |  |                          |                          |                          |                          |                          |                          |               |               |                |              |                                     |                          |                          |                          |                          |                          |                          |                          |                          |                          |

# **Voluntary Petition**

(This page must be completed and filed in every case)

Name of Debtor(s):

**Hernandez, Erasto**

## **All Prior Bankruptcy Cases Filed Within Last 8 Years** (If more than two, attach additional sheet)

|  |  |                                |
|--|--|--------------------------------|
| Location<br>Where Filed: <b>Northern District of Illinois-Eastern Division</b> | Case Number:<br><b>00-32730-Chapter 13</b> | Date Filed:<br><b>11/08/00</b> |
| Location<br>Where Filed:   | Case Number:                               | Date Filed:                    |

## **Pending Bankruptcy Case Filed by any Spouse, Partner, or Affiliate of this Debtor** (If more than one, attach additional sheet)

|                                    |               |             |
|------------------------------------|---------------|-------------|
| Name of Debtor:<br><b>- None -</b> | Case Number:  | Date Filed: |
| District:                          | Relationship: | Judge:      |

### **Exhibit A**

(To be completed if debtor is required to file periodic reports (e.g., forms 10K and 10Q) with the Securities and Exchange Commission pursuant to Section 13 or 15(d) of the Securities Exchange Act of 1934 and is requesting relief under chapter 11.)

☐ Exhibit A is attached and made a part of this petition.

### **Exhibit B**

(To be completed if debtor is an individual whose debts are primarily consumer debts.)

I, the attorney for the petitioner named in the foregoing petition, declare that I have informed the petitioner that [he or she] may proceed under chapter 7, 11, 12, or 13 of title 11, United States Code, and have explained the relief available under each such chapter. I further certify that I delivered to the debtor the notice required by 11 U.S.C. §342(b).

**X /s/ Dennis G. Knipp** **September 11, 2007**

Signature of Attorney for Debtor(s)

(Date)

**Dennis G. Knipp**

### **Exhibit C**

Does the debtor own or have possession of any property that poses or is alleged to pose a threat of imminent and identifiable harm to public health or safety?

☐ Yes, and Exhibit C is attached and made a part of this petition.

☒ No.

### **Exhibit D**

(To be completed by every individual debtor. If a joint petition is filed, each spouse must complete and attach a separate Exhibit D.)

☒ Exhibit D completed and signed by the debtor is attached and made a part of this petition.

If this is a joint petition:

☐ Exhibit D also completed and signed by the joint debtor is attached and made a part of this petition.

### **Information Regarding the Debtor - Venue**

(Check any applicable box)

- ☒ Debtor has been domiciled or has had a residence, principal place of business, or principal assets in this District for 180 days immediately preceding the date of this petition or for a longer part of such 180 days than in any other District.
- ☐ There is a bankruptcy case concerning debtor's affiliate, general partner, or partnership pending in this District.
- ☐ Debtor is a debtor in a foreign proceeding and has its principal place of business or principal assets in the United States in this District, or has no principal place of business or assets in the United States but is a defendant in an action or proceeding [in a federal or state court] in this District, or the interests of the parties will be served in regard to the relief sought in this District.

### **Statement by a Debtor Who Resides as a Tenant of Residential Property**

(Check all applicable boxes)

☐ Landlord has a judgment against the debtor for possession of debtor's residence. (If box checked, complete the following.)

\_\_\_\_\_  
(Name of landlord that obtained judgment)

\_\_\_\_\_  
(Address of landlord)

- ☐ Debtor claims that under applicable nonbankruptcy law, there are circumstances under which the debtor would be permitted to cure the entire monetary default that gave rise to the judgment for possession, after the judgment for possession was entered, and
- ☐ Debtor has included in this petition the deposit with the court of any rent that would become due during the 30-day period after the filing of the petition.

# Voluntary Petition

(This page must be completed and filed in every case)

Name of Debtor(s):

**Hernandez, Erasto**

## Signatures

### Signature(s) of Debtor(s) (Individual/Joint)

I declare under penalty of perjury that the information provided in this petition is true and correct.  
[If petitioner is an individual whose debts are primarily consumer debts and has chosen to file under chapter 7] I am aware that I may proceed under chapter 7, 11, 12, or 13 of title 11, United States Code, understand the relief available under each such chapter, and choose to proceed under chapter 7.  
[If no attorney represents me and no bankruptcy petition preparer signs the petition] I have obtained and read the notice required by 11 U.S.C. §342(b).

I request relief in accordance with the chapter of title 11, United States Code, specified in this petition.

**X** /s/ Erasto Hernandez  
Signature of Debtor **Erasto Hernandez**

**X** \_\_\_\_\_  
Signature of Joint Debtor

Telephone Number (If not represented by attorney)

**September 11, 2007**  
Date

### Signature of Attorney

**X** /s/ Dennis G. Knipp  
Signature of Attorney for Debtor(s)

**Dennis G. Knipp ARDC # 1491628**  
Printed Name of Attorney for Debtor(s)

**Dennis G. Knipp**  
Firm Name

**PMB 142**  
**8926 N. Greenwood Avenue**  
**Niles, IL 60714**

Address

**847-562-0729 Fax: 847-562-0849**  
Telephone Number

**September 11, 2007**  
Date

### Signature of Debtor (Corporation/Partnership)

I declare under penalty of perjury that the information provided in this petition is true and correct, and that I have been authorized to file this petition on behalf of the debtor.

The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition.

**X** \_\_\_\_\_  
Signature of Authorized Individual

Printed Name of Authorized Individual

Title of Authorized Individual

\_\_\_\_\_ Date

### Signature of a Foreign Representative

I declare under penalty of perjury that the information provided in this petition is true and correct, that I am the foreign representative of a debtor in a foreign proceeding, and that I am authorized to file this petition.

(Check only one box.)

☐ I request relief in accordance with chapter 15 of title 11, United States Code. Certified copies of the documents required by 11 U.S.C. §1515 are attached.

☐ Pursuant to 11 U.S.C. §1511, I request relief in accordance with the chapter of title 11 specified in this petition. A certified copy of the order granting recognition of the foreign main proceeding is attached.

**X** \_\_\_\_\_  
Signature of Foreign Representative

Printed Name of Foreign Representative

\_\_\_\_\_ Date

### Signature of Non-Attorney Bankruptcy Petition Preparer

I declare under penalty of perjury that: (1) I am a bankruptcy petition preparer as defined in 11 U.S.C. § 110; (2) I prepared this document for compensation and have provided the debtor with a copy of this document and the notices and information required under 11 U.S.C. §§ 110(b), 110(h), and 342(b); and, (3) if rules or guidelines have been promulgated pursuant to 11 U.S.C. § 110(h) setting a maximum fee for services chargeable by bankruptcy petition preparers, I have given the debtor notice of the maximum amount before preparing any document for filing for a debtor or accepting any fee from the debtor, as required in that section. Official Form 19B is attached.

Printed Name and title, if any, of Bankruptcy Petition Preparer

Social Security number (If the bankruptcy petition preparer is not an individual, state the Social Security number of the officer, principal, responsible person or partner of the bankruptcy petition preparer.) (Required by 11 U.S.C. § 110.)

\_\_\_\_\_ Address

**X** \_\_\_\_\_  
Date

Signature of Bankruptcy Petition Preparer or officer, principal, responsible person, or partner whose Social Security number is provided above.

Names and Social Security numbers of all other individuals who prepared or assisted in preparing this document unless the bankruptcy petition preparer is not an individual:

If more than one person prepared this document, attach additional sheets conforming to the appropriate official form for each person.

*A bankruptcy petition preparer's failure to comply with the provisions of title 11 and the Federal Rules of Bankruptcy Procedure may result in fines or imprisonment or both 11 U.S.C. §110; 18 U.S.C. §156.*

Official Form 1, Exhibit D (10/06)

United States Bankruptcy Court  
Northern District of Illinois

In re Erasto Hernandez

Debtor(s)

Case No.

Chapter

13

**EXHIBIT D - INDIVIDUAL DEBTOR'S STATEMENT OF COMPLIANCE WITH  
CREDIT COUNSELING REQUIREMENT**

**Warning: You must be able to check truthfully one of the five statements regarding credit counseling listed below. If you cannot do so, you are not eligible to file a bankruptcy case, and the court can dismiss any case you do file. If that happens, you will lose whatever filing fee you paid, and your creditors will be able to resume collection activities against you. If your case is dismissed and you file another bankruptcy case later, you may be required to pay a second filing fee and you may have to take extra steps to stop creditors' collection activities.**

*Every individual debtor must file this Exhibit D. If a joint petition is filed, each spouse must complete and file a separate Exhibit D. Check one of the five statements below and attach any documents as directed.*

☒ 1. Within the 180 days **before the filing of my bankruptcy case**, I received a briefing from a credit counseling agency approved by the United States trustee or bankruptcy administrator that outlined the opportunities for available credit counseling and assisted me in performing a related budget analysis, and I have a certificate from the agency describing the services provided to me. *Attach a copy of the certificate and a copy of any debt repayment plan developed through the agency.*

☐ 2. Within the 180 days **before the filing of my bankruptcy case**, I received a briefing from a credit counseling agency approved by the United States trustee or bankruptcy administrator that outlined the opportunities for available credit counseling and assisted me in performing a related budget analysis, but I do not have a certificate from the agency describing the services provided to me. *You must file a copy of a certificate from the agency describing the services provided to you and a copy of any debt repayment plan developed through the agency no later than 15 days after your bankruptcy case is filed.*

☐ 3. I certify that I requested credit counseling services from an approved agency but was unable to obtain the services during the five days from the time I made my request, and the following exigent circumstances merit a temporary waiver of the credit counseling requirement so I can file my bankruptcy case now. *[Must be accompanied by a motion for determination by the court.][Summarize exigent circumstances here.]* \_\_\_\_\_

**If the court is satisfied with the reasons stated in your motion, it will send you an order approving your request. You must still obtain the credit counseling briefing within the first 30 days after you file your bankruptcy case and promptly file a certificate from the agency that provided the briefing, together with a copy of any debt management plan developed through the agency. Any extension of the 30-day deadline can be granted only for cause and is limited to a maximum of 15 days. A motion for extension must be filed within the 30-day period. Failure to fulfill these requirements may result in dismissal of your case. If the court is not satisfied with your reasons for filing your bankruptcy case without first receiving a credit counseling briefing, your case may be dismissed.**



In re **Erasto Hernandez**

Case No. \_\_\_\_\_

Debtor

**SCHEDULE D. CREDITORS HOLDING SECURED CLAIMS**

State the name, mailing address, including zip code, and last four digits of any account number of all entities holding claims secured by property of the debtor as of the date of filing of the petition. The complete account number of any account the debtor has with the creditor is useful to the trustee and the creditor and may be provided if the debtor chooses to do so. List creditors holding all types of secured interests such as judgment liens, garnishments, statutory liens, mortgages, deeds of trust, and other security interests.

List creditors in alphabetical order to the extent practicable. If a minor child is a creditor, indicate that by stating "a minor child" and do not disclose the child's name. See 11 U.S.C. § 112. If "a minor child" is stated, also include the name, address, and legal relationship to the minor child of a person described in Fed. R. Bankr. P. 1007(m). If all secured creditors will not fit on this page, use the continuation sheet provided.

If any entity other than a spouse in a joint case may be jointly liable on a claim, place an "X" in the column labeled "Codebtor", include the entity on the appropriate schedule of creditors, and complete Schedule H - Codebtors. If a joint petition is filed, state whether the husband, wife, both of them, or the marital community may be liable on each claim by placing an "H", "W", "J", or "C" in the column labeled "Husband, Wife, Joint, or Community".

If the claim is contingent, place an "X" in the column labeled "Contingent". If the claim is unliquidated, place an "X" in the column labeled "Unliquidated". If the claim is disputed, place an "X" in the column labeled "Disputed". (You may need to place an "X" in more than one of these three columns.)

Total the columns labeled "Amount of Claim Without Deducting Value of Collateral" and "Unsecured Portion, if Any" in the boxes labeled "Total(s)" on the last sheet of the completed schedule. Report the total from the column labeled "Amount of Claim" also on the Summary of Schedules and, if the debtor is an individual with primarily consumer debts, report the total from the column labeled "Unsecured Portion" on the Statistical Summary of Certain Liabilities and Related Data.

☐ Check this box if debtor has no creditors holding secured claims to report on this Schedule D.

| CREDITOR'S NAME<br>AND MAILING ADDRESS<br>INCLUDING ZIP CODE,<br>AND ACCOUNT NUMBER<br>(See instructions above.)                            | C<br>O<br>D<br>E<br>B<br>T<br>O<br>R<br><br>H<br>U<br>S<br>B<br>A<br>N<br>D<br>W<br>I<br>F<br>E<br>J<br>O<br>I<br>N<br>T<br>C<br>O<br>M<br>M<br>U<br>N<br>I<br>T<br>Y | H<br>U<br>S<br>B<br>A<br>N<br>D<br>W<br>I<br>F<br>E<br>J<br>O<br>I<br>N<br>T<br>C<br>O<br>M<br>M<br>U<br>N<br>I<br>T<br>Y | DATE CLAIM WAS INCURRED,<br>NATURE OF LIEN, AND<br>DESCRIPTION AND VALUE<br>OF PROPERTY<br>SUBJECT TO LIEN   | C<br>O<br>N<br>T<br>I<br>N<br>G<br>E<br>N<br>T | U<br>N<br>L<br>I<br>Q<br>U<br>I<br>D<br>A<br>T<br>E<br>D | D<br>I<br>S<br>P<br>U<br>T<br>E<br>D | AMOUNT OF<br>CLAIM<br>WITHOUT<br>DEDUCTING<br>VALUE OF<br>COLLATERAL | UNSECURED<br>PORTION, IF<br>ANY |
|---|---|---|--|--|--|--------------------------------------|--|---------------------------------|
|   |   |   |  |  |  |                                      |  |                                 |
| Account No. <b>1100156947</b>   |   |   | <b>November 23, 2005</b>   |  |  |                                      |  |                                 |
| <b>America's Servicing Company</b><br><b>P.O. Box 10328</b><br><b>Des Moines, IA 50306-0328</b>   | -   |   | <b>First Mortgage on Residence</b><br><b>For Notification Purposes</b><br><b>Debtor's Residence:</b><br><b>5216 West 121st Place</b><br><b>Alsip, IL 60803-3176</b>    |  |  |                                      | <b>0.00</b>  | <b>0.00</b>                     |
|   |   |   | Value \$ <b>0.00</b>   |  |  |                                      | <b>0.00</b>  | <b>0.00</b>                     |
| Account No. <b>1100156947</b>   |   |   | <b>November 23, 2005</b>   |  |  |                                      |  |                                 |
| <b>America's Servicing Company</b><br><b>Bankruptcy Department</b><br><b>7495 New Horizon Way, Building 4</b><br><b>Frederick, MD 21703</b> | -   |   | <b>First Mortgage on Residence</b><br><b>Debtor's Residence:</b><br><b>5216 West 121st Place</b><br><b>Alsip, IL 60803-3176</b>  |  |  |                                      | <b>224,765.00</b>  | <b>0.00</b>                     |
|   |   |   | Value \$ <b>350,000.00</b>   |  |  |                                      | <b>224,765.00</b>  | <b>0.00</b>                     |
| Account No. <b>1100156947</b>   |   |   | <b>November 23, 2005</b>   |  |  |                                      |  |                                 |
| <b>America's Servicing Company</b><br><b>Bankruptcy Department</b><br><b>7495 New Horizon Way, Building 4</b><br><b>Frederick, MD 21703</b> | -   |   | <b>First Mortgage Arrearage on Residence</b><br><b>Debtor's Residence:</b><br><b>5216 West 121st Place</b><br><b>Alsip, IL 60803-3176</b>                              |  |  |                                      | <b>14,591.11</b>   | <b>0.00</b>                     |
|   |   |   | Value \$ <b>350,000.00</b>   |  |  |                                      | <b>14,591.11</b>   | <b>0.00</b>                     |
| Account No. <b>Foreclosure # 07CH02647</b>  |   |   | <b>April 18, 2001</b>  |  |  |                                      |  |                                 |
| <b>Cathay Bank</b><br><b>c/o Deborah S. Ashen Ltd.</b><br><b>217 North Jefferson Street, Ste.600</b><br><b>Chicago, IL 60661</b>            | -   |   | <b>First Mortgage on Property</b><br><b>Debtor's Property:</b><br><b>USA No. 1 Family Restaurant</b><br><b>3525 West 159th Street</b><br><b>Markham, IL 60426-4011</b> |  |  |                                      | <b>281,698.35</b>  | <b>0.00</b>                     |
|   |   |   | Value \$ <b>700,000.00</b>   |  |  |                                      | <b>281,698.35</b>  | <b>0.00</b>                     |
| Subtotal<br>(Total of this page)  |   |   |  |  |  |                                      | <b>521,054.46</b>  | <b>0.00</b>                     |

1 continuation sheets attached

In re Erasto Hernandez,  
Debtor

Case No. \_\_\_\_\_

**SCHEDULE D. CREDITORS HOLDING SECURED CLAIMS**  
(Continuation Sheet)

| CREDITOR'S NAME<br>AND MAILING ADDRESS<br>INCLUDING ZIP CODE,<br>AND ACCOUNT NUMBER<br>(See instructions.)  | C<br>O<br>D<br>E<br>B<br>O<br>R<br>O<br>W<br>E<br>R | H<br>U<br>S<br>B<br>A<br>N<br>D,<br>W<br>I<br>F<br>E,<br>J<br>O<br>I<br>N<br>T,<br>O<br>R<br>C<br>O<br>M<br>M<br>U<br>N<br>I<br>T<br>Y | DATE CLAIM WAS INCURRED,<br>NATURE OF LIEN, AND<br>DESCRIPTION AND VALUE<br>OF PROPERTY<br>SUBJECT TO LIEN  | C<br>O<br>N<br>T<br>I<br>N<br>G<br>E<br>N<br>T | U<br>N<br>L<br>I<br>Q<br>U<br>I<br>D<br>A<br>T<br>E<br>D | D<br>I<br>S<br>P<br>U<br>T<br>E<br>D | AMOUNT OF<br>CLAIM<br>WITHOUT<br>DEDUCTING<br>VALUE OF<br>COLLATERAL | UNSECURED<br>PORTION, IF<br>ANY |
|---|---|--|---|--|--|--------------------------------------|--|---------------------------------|
|   |   |  |   |  |  |                                      |  |                                 |
| Account No. <b>Foreclosure # 07CH02647</b>  |   |  | <b>April 18, 2001</b>   |  |  |                                      |  |                                 |
| <b>Cathay Bank</b><br><b>c/o Deborah S. Ashen Ltd.</b><br><b>217 North Jefferson Street, Ste.600</b><br><b>Chicago, IL 60661</b>                              | -   |  | <b>First Mortgage Arrearage on Property</b><br><b>Debtor's Property:</b><br><b>USA No. 1 Family Restaurant</b><br><b>3525 West 159th Street</b><br><b>Markham, IL 60426-4011</b>          |  |  |                                      | <b>71,181.19</b>   | <b>0.00</b>                     |
|   |   |  | Value \$ <b>700,000.00</b>  |  |  |                                      |  |                                 |
| Account No. <b>00009800335961</b>   |   |  | <b>First Mortgage on Property</b>   |  |  |                                      |  |                                 |
| <b>The CIT Group/Consumer Finance,Inc.</b><br><b>715 South Metropolitan Avenue</b><br><b>P.O. Box 24610</b><br><b>Oklahoma City, OK 73108</b>                 | -   |  | <b>Debtor's Property:</b><br><b>3757 Blackstone Avenue</b><br><b>Markham, IL 60428</b>  |  |  |                                      | <b>73,911.85</b>   | <b>0.00</b>                     |
|   |   |  | Value \$ <b>140,000.00</b>  |  |  |                                      |  |                                 |
| Account No. <b>00009800335961</b>   |   |  | <b>First Mortgage Arrearage on Property</b>   |  |  |                                      |  |                                 |
| <b>The CIT Group/Consumer Finance,Inc.</b><br><b>715 South Metropolitan Avenue</b><br><b>P.O. Box 24610</b><br><b>Oklahoma City, OK 73108</b>                 | -   |  | <b>Debtor's Property:</b><br><b>3757 Blackstone Avenue</b><br><b>Markham, IL 60428</b>  |  |  |                                      | <b>6,707.88</b>  | <b>0.00</b>                     |
|   |   |  | Value \$ <b>140,000.00</b>  |  |  |                                      |  |                                 |
| Account No. <b>07CH18570</b>  |   |  | <b>November 23, 2005</b>  |  |  |                                      |  |                                 |
| <b>U.S. Bank National Association</b><br><b>c/oFreedmanAnselmoLindbergRappe</b><br><b>1807 West Diehl Road, Suite 333</b><br><b>Naperville, IL 60563-1890</b> | -   |  | <b>First Mortgage Foreclosure on</b><br><b>Residence</b><br><b>For Notification Purposes</b><br><b>Debtor's Residence:</b><br><b>5216 West 121st Place</b><br><b>Alsip, IL 60803-3176</b> |  |  |                                      | <b>0.00</b>  | <b>0.00</b>                     |
|   |   |  | Value \$ <b>0.00</b>  |  |  |                                      |  |                                 |
| Account No.   |   |  |   |  |  |                                      |  |                                 |
|   |   |  |   |  |  |                                      |  |                                 |
|   |   |  | Value \$  |  |  |                                      |  |                                 |
| Subtotal  |   |  |   |  |  |                                      | <b>151,800.92</b>  | <b>0.00</b>                     |
| (Total of this page)  |   |  |   |  |  |                                      |  |                                 |
| Total   |   |  |   |  |  |                                      | <b>672,855.38</b>  | <b>0.00</b>                     |
| (Report on Summary of Schedules)  |   |  |   |  |  |                                      |  |                                 |

Sheet 1 of 1 continuation sheets attached to  
Schedule of Creditors Holding Secured Claims

In re Erasto Hernandez Case No. \_\_\_\_\_  
Debtor

## SCHEDULE E. CREDITORS HOLDING UNSECURED PRIORITY CLAIMS

A complete list of claims entitled to priority, listed separately by type of priority, is to be set forth on the sheets provided. Only holders of unsecured claims entitled to priority should be listed in this schedule. In the boxes provided on the attached sheets, state the name, mailing address, including zip code, and last four digits of the account number, if any, of all entities holding priority claims against the debtor or the property of the debtor, as of the date of the filing of the petition. Use a separate continuation sheet for each type of priority and label each with the type of priority.

The complete account number of any account the debtor has with the creditor is useful to the trustee and the creditor and may be provided if the debtor chooses to do so. If a minor child is a creditor, indicate that by stating "a minor child" and do not disclose the child's name. See 11 U.S.C. § 112. If "a minor child" is stated, also include the name, address, and legal relationship to the minor child of a person described in Fed. R. Bankr. P. 1007(m).

If any entity other than a spouse in a joint case may be jointly liable on a claim, place an "X" in the column labeled "Codebtor," include the entity on the appropriate schedule of creditors, and complete Schedule H-Codebtors. If a joint petition is filed, state whether the husband, wife, both of them, or the marital community may be liable on each claim by placing an "H," "W," "J," or "C" in the column labeled "Husband, Wife, Joint, or Community." If the claim is contingent, place an "X" in the column labeled "Contingent." If the claim is unliquidated, place an "X" in the column labeled "Unliquidated." If the claim is disputed, place an "X" in the column labeled "Disputed." (You may need to place an "X" in more than one of these three columns.)

Report the total of claims listed on each sheet in the box labeled "Subtotals" on each sheet. Report the total of all claims listed on this Schedule E in the box labeled "Total" on the last sheet of the completed schedule. Report this total also on the Summary of Schedules.

Report the total of amounts entitled to priority listed on each sheet in the box labeled "Subtotals" on each sheet. Report the total of all amounts entitled to priority listed on this Schedule E in the box labeled "Totals" on the last sheet of the completed schedule. Individual debtors with primarily consumer debts who file a case under chapter 7 or 13 report this total also on the Statistical Summary of Certain Liabilities and Related Data.

Report the total of amounts not entitled to priority listed on each sheet in the box labeled "Subtotals" on each sheet. Report the total of all amounts not entitled to priority listed on this Schedule E in the box labeled "Totals" on the last sheet of the completed schedule. Individual debtors with primarily consumer debts who file a case under chapter 7 report this total also on the Statistical Summary of Certain Liabilities and Related Data.

☐ Check this box if debtor has no creditors holding unsecured priority claims to report on this Schedule E.

### TYPES OF PRIORITY CLAIMS (Check the appropriate box(es) below if claims in that category are listed on the attached sheets)

#### ☐ Domestic support obligations

Claims for domestic support that are owed to or recoverable by a spouse, former spouse, or child of the debtor, or the parent, legal guardian, or responsible relative of such a child, or a governmental unit to whom such a domestic support claim has been assigned to the extent provided in 11 U.S.C. § 507(a)(1).

#### ☐ Extensions of credit in an involuntary case

Claims arising in the ordinary course of the debtor's business or financial affairs after the commencement of the case but before the earlier of the appointment of a trust or the order for relief. 11 U.S.C. § 507(a)(3).

#### ☐ Wages, salaries, and commissions

Wages, salaries, and commissions, including vacation, severance, and sick leave pay owing to employees and commissions owing to qualifying independent sales representatives up to \$10,950\* per person earned within 180 days immediately preceding the filing of the original petition, or the cessation of business, whichever occurred first, to the extent provided in 11 U.S.C. § 507(a)(4).

#### ☐ Contributions to employee benefit plans

Money owed to employee benefit plans for services rendered within 180 days immediately preceding the filing of the original petition, or the cessation of business, whichever occurred first, to the extent provided in 11 U.S.C. § 507(a)(5).

#### ☐ Certain farmers and fishermen

Claims of certain farmers and fishermen, up to \$5,400\* per farmer or fisherman, against the debtor, as provided in 11 U.S.C. § 507(a)(6).

#### ☐ Deposits by individuals

Claims of individuals up to \$2,425\* for deposits for the purchase, lease, or rental of property or services for personal, family, or household use, that were not delivered provided. 11 U.S.C. § 507(a)(7).

#### ☒ Taxes and certain other debts owed to governmental units

Taxes, customs duties, and penalties owing to federal, state, and local governmental units as set forth in 11 U.S.C. § 507(a)(8).

#### ☐ Commitments to maintain the capital of an insured depository institution

Claims based on commitments to the FDIC, RTC, Director of the Office of Thrift Supervision, Comptroller of the Currency, or Board of Governors of the Federal Reserve System, or their predecessors or successors, to maintain the capital of an insured depository institution. 11 U.S.C. § 507(a)(9).

#### ☐ Claims for death or personal injury while debtor was intoxicated

Claims for death or personal injury resulting from the operation of a motor vehicle or vessel while the debtor was intoxicated from using alcohol, a drug, or another substance. 11 U.S.C. § 507(a)(10).

\* Amounts are subject to adjustment on April 1, 2010, and every three years thereafter with respect to cases commenced on or after the date of adjustment.



In re Erasto Hernandez  
Debtor

Case No. \_\_\_\_\_

**SCHEDULE E. CREDITORS HOLDING UNSECURED PRIORITY CLAIMS**  
(Continuation Sheet)

**Taxes and Certain Other Debts  
Owed to Governmental Units**

TYPE OF PRIORITY

| CREDITOR'S NAME,<br>AND MAILING ADDRESS<br>INCLUDING ZIP CODE,<br>AND ACCOUNT NUMBER<br>(See instructions.)  | C<br>O<br>D<br>E<br>B<br>O<br>R<br>R | H<br>W<br>J<br>C | Husband, Wife, Joint, or Community<br><br>DATE CLAIM WAS INCURRED<br>AND CONSIDERATION FOR CLAIM              | C<br>O<br>N<br>T<br>I<br>N<br>G<br>E<br>N<br>T | U<br>N<br>L<br>I<br>Q<br>U<br>I<br>D<br>A<br>T<br>E<br>D | D<br>I<br>S<br>P<br>U<br>T<br>E<br>D | AMOUNT<br>OF CLAIM | AMOUNT NOT<br>ENTITLED TO<br>PRIORITY, IF ANY |
|--|--------------------------------------|------------------|---|--|--|--------------------------------------|--------------------|---|
|  |                                      |                  |   |  |  |                                      |                    | AMOUNT<br>ENTITLED TO<br>PRIORITY             |
| Account No. <b>XXX-XX-1485</b><br><br><b>Illinois Department of Revenue<br/>Bankruptcy Unit<br/>100 W. Randolph St., #7-400<br/>Chicago, IL 60601</b>                        |                                      | -                | <b>Tax Year: 2006</b><br><br><b>State of Illinois<br/>Sales Tax</b>   |  |  |                                      | <b>10,200.00</b>   | <b>0.00</b><br><br><b>10,200.00</b>           |
| Account No. <b>XXX-XX-1485</b><br><br><b>Illinois Department of Revenue<br/>Attn: Oliver Gordon, Revenue Collector<br/>100 W. Randolph St., #7-400<br/>Chicago, IL 60601</b> |                                      | -                | <b>Tax Year: 2006</b><br><br><b>For Notification Purposes<br/>State of Illinois<br/>Sales Tax</b>             |  |  |                                      | <b>0.00</b>        | <b>0.00</b><br><br><b>0.00</b>                |
| Account No. <b>XXX-XX-1485</b><br><br><b>Internal Revenue Service<br/>Centralized Insolvency Operations<br/>P.O. Box 21126<br/>Philadelphia, PA 19114</b>                    |                                      | -                | <b>1040 Tax Years: 2004, 2205, &amp; 2006</b><br><br><b>Unpaid Federal Income Taxes<br/>Includes Interest</b> |  |  |                                      | <b>120,000.00</b>  | <b>0.00</b><br><br><b>120,000.00</b>          |
| Account No.  |                                      |                  |   |  |  |                                      |                    |   |
| Account No.  |                                      |                  |   |  |  |                                      |                    |   |

Sheet 1 of 1 continuation sheets attached to  
Schedule of Creditors Holding Unsecured Priority Claims

|   |                   |                                  |
|---|-------------------|----------------------------------|
| Subtotal<br>(Total of this page)          | <b>130,200.00</b> | <b>0.00</b><br><b>130,200.00</b> |
| Total<br>(Report on Summary of Schedules) | <b>130,200.00</b> | <b>0.00</b><br><b>130,200.00</b> |

Official Form 6F (10/06)

In re Erasto Hernandez, Case No. \_\_\_\_\_  
Debtor

## SCHEDULE F. CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS

State the name, mailing address, including zip code, and last four digits of any account number, of all entities holding unsecured claims without priority against the debtor or the property of the debtor, as of the date of filing of the petition. The complete account number of any account the debtor has with the creditor is useful to the trustee and the creditor and may be provided if the debtor chooses to do so. If a minor child is a creditor, indicate that by stating "a minor child" and do not disclose the child's name. See 11 U.S.C. § 112. If "a minor child" is stated, also include the name, address, and legal relationship to the minor child of a person described in Fed. R. Bankr. P. 1007(m). Do not include claims listed in Schedules D and E. If all creditors will not fit on this page, use the continuation sheet provided.

If any entity other than a spouse in a joint case may be jointly liable on a claim, place an "X" in the column labeled "Codebtor," include the entity on the appropriate schedule of creditors, and complete Schedule H - Codebtors. If a joint petition is filed, state whether the husband, wife, both of them, or the marital community may be liable on each claim by placing an "H," "W," "J," or "C" in the column labeled "Husband, Wife, Joint, or Community."

If the claim is contingent, place an "X" in the column labeled "Contingent." If the claim is unliquidated, place an "X" in the column labeled "Unliquidated." If the claim is disputed, place an "X" in the column labeled "Disputed." (You may need to place an "X" in more than one of these three columns.)

Report the total of all claims listed on this schedule in the box labeled "Total" on the last sheet of the completed schedule. Report this total also on the Summary of Schedules and, if the debtor is an individual with primarily consumer debts filing a case under chapter 7, report this total also on the Statistical Summary of Certain Liabilities and Related Data.

☐ Check this box if debtor has no creditors holding unsecured claims to report on this Schedule F.

| CREDITOR'S NAME,<br>AND MAILING ADDRESS<br>INCLUDING ZIP CODE,<br>AND ACCOUNT NUMBER<br>(See instructions above.) | C<br>O<br>D<br>E<br>B<br>T<br>O<br>R | Husband, Wife, Joint, or Community | C<br>O<br>N<br>T<br>I<br>N<br>G<br>E<br>N<br>T | U<br>N<br>L<br>I<br>Q<br>U<br>I<br>D<br>A<br>T<br>E<br>D | D<br>I<br>S<br>P<br>U<br>T<br>E<br>D | AMOUNT OF CLAIM |
|---|--------------------------------------|------------------------------------|--|--|--------------------------------------|-----------------|
|   |                                      | H<br>W<br>J<br>C                   |  |  |                                      |                 |
| Account No.   |                                      |                                    |  |  |                                      |                 |
|   |                                      |                                    |  |  |                                      |                 |
| Account No.   |                                      |                                    |  |  |                                      |                 |
|   |                                      |                                    |  |  |                                      |                 |
| Account No.   |                                      |                                    |  |  |                                      |                 |
|   |                                      |                                    |  |  |                                      |                 |
| Account No.   |                                      |                                    |  |  |                                      |                 |
|   |                                      |                                    |  |  |                                      |                 |
| Subtotal<br>(Total of this page)  |                                      |                                    |  |  |                                      |                 |
| Total<br>(Report on Summary of Schedules)   |                                      |                                    |  |  |                                      | <b>0.00</b>     |

0 continuation sheets attached

**United States Bankruptcy Court**  
**Northern District of Illinois**

In re **Erasto Hernandez**

Debtor(s)

Case No.

Chapter

**13**

**DISCLOSURE OF COMPENSATION OF ATTORNEY FOR DEBTOR(S)**

1. Pursuant to 11 U.S.C. § 329(a) and Bankruptcy Rule 2016(b), I certify that I am the attorney for the above-named debtor and that compensation paid to me within one year before the filing of the petition in bankruptcy, or agreed to be paid to me, for services rendered or to be rendered on behalf of the debtor(s) in contemplation of or in connection with the bankruptcy case is as follows:

|  |    |                        |
|--|----|------------------------|
| For legal services, I have agreed to accept.....           | \$ | <u><b>3,500.00</b></u> |
| Prior to the filing of this statement I have received..... | \$ | <u><b>1,000.00</b></u> |
| Balance Due.....   | \$ | <u><b>2,500.00</b></u> |

2. \$ **274.00** of the filing fee has been paid.

3. The source of the compensation paid to me was:

☒ Debtor      ☐ Other (specify):

4. The source of compensation to be paid to me is:

☒ Debtor      ☐ Other (specify):

5. ☒ I have not agreed to share the above-disclosed compensation with any other person unless they are members and associates of my law firm.

☐ I have agreed to share the above-disclosed compensation with a person or persons who are not members or associates of my law firm. A copy of the agreement, together with a list of the names of the people sharing in the compensation is attached.

6. In return for the above-disclosed fee, I have agreed to render legal service for all aspects of the bankruptcy case, including:

- Analysis of the debtor's financial situation, and rendering advice to the debtor in determining whether to file a petition in bankruptcy;
- Preparation and filing of any petition, schedules, statement of affairs and plan which may be required;
- Representation of the debtor at the meeting of creditors and confirmation hearing, and any adjourned hearings thereof;
- [Other provisions as needed]

**Negotiations with secured creditors to reduce to market value; exemption planning; preparation and filing of reaffirmation agreements and applications as needed; preparation and filing of motions pursuant to 11 USC 522(f)(2)(A) for avoidance of liens on household goods.**

7. By agreement with the debtor(s), the above-disclosed fee does not include the following service:

**Representation of the debtors in any dischargeability actions, judicial lien avoidances, relief from stay actions or any other adversary proceeding.**

**CERTIFICATION**

I certify that the foregoing is a complete statement of any agreement or arrangement for payment to me for representation of the debtor(s) in this bankruptcy proceeding.

Dated: **September 11, 2007**

**/s/ Dennis G. Knipp**

**Dennis G. Knipp**

**Dennis G. Knipp**

**PMB 142**

**8926 N. Greenwood Avenue**

**Niles, IL 60714**

**847-562-0729 Fax: 847-562-0849**

UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF ILLINOIS

**NOTICE TO INDIVIDUAL CONSUMER DEBTOR UNDER § 342(b)  
OF THE BANKRUPTCY CODE**

In accordance with § 342(b) of the Bankruptcy Code, this notice: (1) Describes briefly the services available from credit counseling services; (2) Describes briefly the purposes, benefits and costs of the four types of bankruptcy proceedings you may commence; and (3) Informs you about bankruptcy crimes and notifies you that the Attorney General may examine all information you supply in connection with a bankruptcy case. You are cautioned that bankruptcy law is complicated and not easily described. Thus, you may wish to seek the advice of an attorney to learn of your rights and responsibilities should you decide to file a petition. Court employees cannot give you legal advice.

**1. Services Available from Credit Counseling Agencies**

**With limited exceptions, § 109(h) of the Bankruptcy Code requires that all individual debtors who file for bankruptcy relief on or after October 17, 2005, receive a briefing that outlines the available opportunities for credit counseling and provides assistance in performing a budget analysis.** The briefing must be given within 180 days **before** the bankruptcy filing. The briefing may be provided individually or in a group (including briefings conducted by telephone or on the Internet) and must be provided by a nonprofit budget and credit counseling agency approved by the United States trustee or bankruptcy administrator. The clerk of the bankruptcy court has a list that you may consult of the approved budget and credit counseling agencies.

**In addition, after filing a bankruptcy case, an individual debtor generally must complete a financial management instructional course before he or she can receive a discharge.** The clerk also has a list of approved financial management instructional courses.

**2. The Four Chapters of the Bankruptcy Code Available to Individual Consumer Debtors**

**Chapter 7: Liquidation (\$245 filing fee, \$39 administrative fee, \$15 trustee surcharge: Total Fee \$299)**

1. Chapter 7 is designed for debtors in financial difficulty who do not have the ability to pay their existing debts. Debtors whose debts are primarily consumer debts are subject to a "means test" designed to determine whether the case should be permitted to proceed under chapter 7. If your income is greater than the median income for your state of residence and family size, in some cases, creditors have the right to file a motion requesting that the court dismiss your case under § 707(b) of the Code. It is up to the court to decide whether the case should be dismissed.

2. Under chapter 7, you may claim certain of your property as exempt under governing law. A trustee may have the right to take possession of and sell the remaining property that is not exempt and use the sale proceeds to pay your creditors.

3. The purpose of filing a chapter 7 case is to obtain a discharge of your existing debts. If, however, you are found to have committed certain kinds of improper conduct described in the Bankruptcy Code, the court may deny your discharge and, if it does, the purpose for which you filed the bankruptcy petition will be defeated.

4. Even if you receive a general discharge, some particular debts are not discharged under the law. Therefore, you may still be responsible for most taxes and student loans; debts incurred to pay nondischargeable taxes; domestic support and property settlement obligations; most fines, penalties, forfeitures, and criminal restitution obligations; certain debts which are not properly listed in your bankruptcy papers; and debts for death or personal injury caused by operating a motor vehicle, vessel, or aircraft while intoxicated from alcohol or drugs. Also, if a creditor can prove that a debt arose from fraud, breach of fiduciary duty, or theft, or from a willful and malicious injury, the bankruptcy court may determine that the debt is not discharged.

**Chapter 13: Repayment of All or Part of the Debts of an Individual with Regular Income (\$235 filing fee, \$39 administrative fee: Total fee \$274)**

1. Chapter 13 is designed for individuals with regular income who would like to pay all or part of their debts in installments over a period of time. You are only eligible for chapter 13 if your debts do not exceed certain dollar amounts set forth in the Bankruptcy Code.

2. Under chapter 13, you must file with the court a plan to repay your creditors all or part of the money that you owe them, using your future earnings. The period allowed by the court to repay your debts may be three years or five years, depending upon your income and other factors. The court must approve your plan before it can take effect.

3. After completing the payments under your plan, your debts are generally discharged except for domestic support obligations; most student loans; certain taxes; most criminal fines and restitution obligations; certain debts which are not properly listed in your bankruptcy papers; certain debts for acts that caused death or personal injury; and certain long term secured obligations.

B 201 (04/09/06)

**Chapter 11: Reorganization (\$1000 filing fee, \$39 administrative fee: Total fee \$1039)**

Chapter 11 is designed for the reorganization of a business but is also available to consumer debtors. Its provisions are quite complicated, and any decision by an individual to file a chapter 11 petition should be reviewed with an attorney.

**Chapter 12: Family Farmer or Fisherman (\$200 filing fee, \$39 administrative fee: Total fee \$239)**

Chapter 12 is designed to permit family farmers and fishermen to repay their debts over a period of time from future earnings and is similar to chapter 13. The eligibility requirements are restrictive, limiting its use to those whose income arises primarily from a family-owned farm or commercial fishing operation.

**3. Bankruptcy Crimes and Availability of Bankruptcy Papers to Law Enforcement Officials**

A person who knowingly and fraudulently conceals assets or makes a false oath or statement under penalty of perjury, either orally or in writing, in connection with a bankruptcy case is subject to a fine, imprisonment, or both. All information supplied by a debtor in connection with a bankruptcy case is subject to examination by the Attorney General acting through the Office of the United States Trustee, the Office of the United States Attorney, and other components and employees of the Department of Justice.

**WARNING:** Section 521(a)(1) of the Bankruptcy Code requires that you promptly file detailed information regarding your creditors, assets, liabilities, income, expenses and general financial condition. Your bankruptcy case may be dismissed if this information is not filed with the court within the time deadlines set by the Bankruptcy Code, the Bankruptcy Rules, and the local rules of the court.

**Certificate of Attorney**

I hereby certify that I delivered to the debtor this notice required by § 342(b) of the Bankruptcy Code.

**Dennis G. Knipp**  
\_\_\_\_\_  
Printed Name of Attorney  
Address:  
**PMB 142**  
**8926 N. Greenwood Avenue**  
**Niles, IL 60714**  
**847-562-0729**

X **/s/ Dennis G. Knipp**  
\_\_\_\_\_  
Signature of Attorney

**September 11,**  
**2007**  
\_\_\_\_\_  
Date

**Certificate of Debtor**

I (We), the debtor(s), affirm that I (we) have received and read this notice.

**Erasto Hernandez**  
\_\_\_\_\_  
Printed Name(s) of Debtor(s)  
  
Case No. (if known) \_\_\_\_\_

X **/s/ Erasto Hernandez**  
\_\_\_\_\_  
Signature of Debtor

**September 11,**  
**2007**  
\_\_\_\_\_  
Date

X \_\_\_\_\_  
Signature of Joint Debtor (if any)

\_\_\_\_\_  
Date

**United States Bankruptcy Court  
Northern District of Illinois**

In re **Erasto Hernandez**

Debtor(s)

Case No.

Chapter

**13**

**VERIFICATION OF CREDITOR MATRIX**

Number of Creditors: **10**

The above-named Debtor(s) hereby verifies that the list of creditors is true and correct to the best of my (our) knowledge.

Date: **September 11, 2007**

**/s/ Erasto Hernandez**

**Erasto Hernandez**

Signature of Debtor